

January 23, 2020

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By ECF Filing

The Honorable Nicholas G. Garaufis
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Re: United States v. Michael L. Cohen, 17 CR 544 (NGG)

Dear Judge Garaufis:

We represent defendant Michael Cohen in connection with the above-referenced case. This letter is submitted to request that the Court adjust Mr. Cohen's surrender date, in order to allow him to begin serving his sentence *earlier* than planned. The government has no objection to this request.

On November 19, 2019, the Court sentenced Mr. Cohen to three months incarceration. In connection with the setting of his surrender date, defense counsel requested that it be after the previously-scheduled bat mitzvah of Mr. Cohen's daughter on January 25, 2020. The Court granted this request and its subsequent written Judgment directed Mr. Cohen to surrender "upon receiving notice to do so from BOP but in no event before February 1, 2020." *See* December 17, 2019 Judgment in a Criminal Case at 2. The Court also recommended to BOP that Mr. Cohen be designated to the minimum security satellite facility at FCI Berlin, in Berlin, New Hampshire. *Id.*

Mr. Cohen has since been designated by BOP to FCI Berlin, as the Court recommended. He would like to surrender and begin serving his sentence as soon as he can after his daughter's bat mitzvah on January 25. Mr. Cohen, who lives in London, has booked air travel to the United States and made arrangements with his parents to accompany him to the facility with the intent to surrender on January 29. If Mr. Cohen cannot surrender until after February 1, his parents will be unable to escort him to the facility due to his mother's scheduled knee replacement surgery. However, BOP has recently indicated that it believes it cannot permit Mr. Cohen's surrender on January 29 based on the language in the Court's Judgment that his surrender shall "in no event [be] before February 1, 2020." To the best of our understanding, this is the only basis for BOP's concern regarding the proposed January 29 surrender.

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This language was originally included by the Court, at Mr. Cohen's request, to assure that the surrender date was safely after his daughter's bat mitzvah, not to prevent a surrender prior to February 1, if that was otherwise acceptable to Mr. Cohen and BOP. Accordingly, we would respectfully request that the Court order that Mr. Cohen be permitted to surrender to the designated facility as early as January 29, 2020. As noted above, we have advised the prosecutors handling this case of this request, and the government has no objection to the request.

Respectfully submitted,



Ronald G. White

cc: Government counsel (by ECF)